

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8533 of 2019**

- Durgesh Kumar Sahu S/o Late Shri Roop Ram Sahu Aged About 33 Years Working As Teacher (E.L.B.), And Posted At Govt. Middle School Maharatola, Block Kawardha, District Kabirdham, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya New Raipur, District Raipur, Chhattisgarh
2. Collector Kawardha District Kabirdham, Chhattisgarh
3. District Education Officer Kawardha District Kabirdham, Chhattisgarh

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate

For Respondents/State : Shri Avinash Singh, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****17/10/2019**

1. The grievance of the petitioner is that by order dated 01.10.2019 the petitioner has been transferred from Government Middle School Maharatola, Block Kawardha, District Kabirdham (C.G.) to Government Middle School Sakri (Korasi), Block Arang, District Raipur. However, the remark column says that it was voluntary.
2. Learned counsel for the petitioner submits that the petitioner has never requested for transfer for this particular place, however, because of the medical exigency, the petitioner has sought for transfer under Municipal Corporation Raipur as the treatment of the mother of the petitioner is going on at Raipur.

3. Considering the fact that disputed fact has been raised that the petitioner has not made any request for transfer at this particular place and the transfer has been done on the ground that it was voluntary transfer, the petitioner is given liberty to make a fresh representation to Respondent No.1 within a period of 15 days from today and the respondent No.1 in turn shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, if the transfer order is not carried out, the effect and operation of the order dated 01.10.2019 shall remain stayed so far as the petitioner is concerned.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu